

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Farmworker Educational Radio Network, Inc.)	File No. EB-11-LA-0109
Licensee of Radio Station KMYX-FM)	
Facility ID # 21209)	NOV No. V201232900006
Arvin, California)	
)	

NOTICE OF VIOLATION

Released: November 17, 2011

By the District Director, Los Angeles Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to Farmworker Educational Radio Network, Inc. ("Farmworker Radio"), licensee of radio station KMYX-FM in Arvin, California.

2. On July 20, 2011, an agent of the Enforcement Bureau's Los Angeles Office inspected station KMYX-FM in Arvin, California, and observed the following violation:

- a. 47 C.F.R. § 73.1350(a): "Each licensee is responsible for maintaining and operating its broadcast station in a manner ... in accordance with the terms of the station authorization." The KMYX-FM authorization lists the transmitter's location as Arvin California, with the coordinates at 35° 11' 45" north latitude, and 118° 42' 30" west longitude. At that time of the investigation, the transmitter's location was in Arvin California, with coordinates of 35° 11' 40.0" north latitude, and 118° 42' 19.5" west longitude, approximately 307 meters from the authorized location.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Farmworker Radio must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Farmworker Radio. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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the following address:

Federal Communications Commission
Los Angeles District Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

4. This Notice shall be sent to Farmworker Educational Radio Network, Inc., at its address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Nader Haghighat
District Director
Los Angeles Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*